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IN THE UNITED STATES DISTRICT COURT DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, on the relation
The State Engineer,

Case No. 69cv-07941-BB

Plaintiff.

Rio Chama Stream System

٧.

Section 1 (mainstream)

ROMAN ARAGON, et al,

Defendants.

Motion to deny States motion to extend.

Comes now this Caballero (david ortiz), descendant of the 1598 Conquering Caballero's, pro se, Commissioner and Parciente of Don Juan de Onate's Acequia today known as the Acequia de Chamita, in the township of Chamita, formerly known as San Gabriel or San Juan y de Los Caballeros to question the States motion for an extension of time.

The State was given 21 days to show cause "why" the owners of water rights associated with certain sub-files under Chamita and Hernandez should NOT be served with orders to show cause regarding priority dates for their water rights. We all know the State does not want to go back 14 years, no matter all the errors and omissions made by the Court, Plaintiff, Lawyers and Acequia Commissioners.

What does it matter who they are? The State does not want to serve them no matter who they are. The Courts order to the State was not to identify the sub-files, but to show why they should not be allowed their day in court and what do they want, August 11, 1598 or 1600.

Your honor if the Court needs to identify these 2 Chamita sub-files as listed in Doc.9983, I can do it within 4 days after you request me to do it. I know who they are and I know where they live. The two (2) from Chamita are identified in Doc.9987. Out of the 86 parciantes listed in that document, probably 80 were not aware of the 1996 trial until I informed them. And I don't think any of them saw all the evidence and exhibits submitted to the Court by the Lawyer.

The Plaintiff's Lawyer called me (david ortiz) via telephone on Dec.6, 2010, approximately 4 PM, requesting a meeting, certain documents and a deposition as stated on the attached document

(not filed in court), received by slow mail on 12/8/2010. He asked if I was represented by counsel. I said no. The only counsel I would allow to represent me is either David Benavides or Ted Trujillo. Is the deposition just to determine the ownership of a certain sub-file? Why just me? Why not the other listed sub-files?

The Plaintiff states, "You are to bring the following documents and other materials in your possession for inspection and copying. I could just give them to the Court or State, which I will do since on Wednesday I have had to schedule a trip to Colorado to take a load of calves for the Thursday calf sale. I will call the plaintiff Lawyer to advise him.

Ask now if you had these water rights on the Acequia de Chamita, would you take 1600 with 2 other Acequias or stand first with August 11, 1598, the establishment date? And if you were in Hernandez you would immediately accept 1600, wouldn't you?

If Special Master Gabin had requested these in Doc.9983, she would have them already. Ask and you shall receive, seek and you shall find, knock and it shall be opened to you.

Case: 6:69-cv-07941-BB

Respectfully Su	bmitted by Defendant David Ortiz,
(Si Da	gnature of Defendant) vid Ortiz, Commissioner Preasurer
] (Pr	AVID ORTIZ inted name of Defendant)
(Stu	Preet address or P.O. Box)
(Cit	DAN DUAN PUEBLO, NM ry, State and Zip Code) 87566
Tra- Ma	ct 17 o 22
Sub	ofile 267

June 23, 1976

File: 01835 Subfile 267

Mr. David Ortiz P. O. Box 1082 San Juan Paeblo, New Mexico 87556

Dear Mr. Ortiz:

Enclosed is your copy of Change of Ownership of Water Right for the above numbered file. Our records have been changed accordingly.

Very truly yours,

S. B. Reynolds State Engineer

By :

JKC: fr

J. K. Coumens Engineer Water Rights Division

Revised April, 1974

IMPORTANT -- READ INSTRUCTIONS BEFORE FILLING OUT THIS FORM

CHANGE OF OWNERSHIP OF WATER RIGHT

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Name	David Or	rtiz	ten or parts	f	The French	OFFICE
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City and State	San Juar	n Pueblo.	New Mex.	ico 87556		
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CIECS SF 267 6/16/76

SF - 2 SHORT WARRANTY DEED (Joint Tomants)—Rev. ?-?	?5—New Nexloo Statutory Form	
WARRAN'	TY DEED (Joint Tenants) HN 17 PH 4: 16	il .
ATTREDO M SALAZAR and ANTON	IIA M. SALAZAR, husband and wife	
ABFREDO II. DIEDENIII	Jim Consideration of	ull grant
DAVID ORTIZ	SANTA FE, N.M.	
Control of the second s	O T C O S	
whose address is 609 Franklin, Sa	anta Fe, New Mexico 87501	
and CECILIA ORTIZ	anta Fe, New Mexico 87501	
±1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	airea reg	
whose address is		
as joint tenants the following described real estate in.	Rio Arriba County, No	ew Mexico:
being a portion of Exception Grant, Sections Nine (9) and North of Range Eight (8) East Mexico, vicinity of Chamita, cribed as follows:	f land, lying and being situate with: 1, Private Claim 247, P. 1 San Juan Sixteen (16), Township Twenty-one (1) t of the New Mexico Principal Meridi being more particularly bounded and L.O. Brass Marker, marked A.P. #4 of	21) an, Ne des-
N.M.P.M., thence N. 48° 13° V 3711.3 feet; thence S. 83° 28 85.00 feet; thence S. 72° 56 125.85 feet; thence S. 76° 29 4013.6 feet to the point and more or less.	ueblo Grant, Sec. 16, Twp. 21 N., R. W., 200.0 feet; thence N. 19° 42' E. 8' E., 9.5 feet; thence N. 21° 08' E' E., 78.17 feet; thence N. 20° 26' 5' L., 97.20 feet; thence S. 19° 44' place of beginning, containing 16.7	E., W., 1 acre
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